

REMARKS

Applicants respectfully request examination and consideration of the claims in view of the above amendments. Claims 11-19 and 24-29 were pending. Within the Office Action, Claims 11-19 and 24-29 have been rejected. By the above amendments, Claims 11-18, 24 and 26-28 have been amended and Claims 25 and 29 have been canceled. Accordingly, Claims 11-19, 24 and 26-28 are currently pending in this application.

Objections To The Specification

Within the Office Action, the specification has been objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, it is stated within the Office Action that the computer readable medium of Claims 25 and 29 is not described in the specification. Claims 25 and 29 have been canceled by the above amendment. However, Claims 24 and 28 have been amended to specify a computer readable memory device. This is clearly supported by the Present Specification. Specifically, the Present Specification describes the claimed invention sufficiently for one skilled in the art to understand and apply the claimed invention. The subject matter of the amended Claims 24 and 28 was also embodied in the claims, as originally filed. Furthermore, a person skilled in the art would immediately recognize that the constituent components of the invention, such as a gateway support node, external communications network, packet radio network, mobile correspondent node and so on, are typically implemented on computer hardware, and therefore a skilled person in the art would be in no doubt from the description and drawings that the invention is able to be manifested in the form of a computer readable memory device on which a program to be executed by a computer has been recorded. Therefore, the objections should be withdrawn.

Objections To The Drawings

Within the Office Action, the drawings have been objected to because the reference characters "260" and "200" have both been used to designate the GPRS/UMTS network in Figure 2 and Figure 4. By the above amendment, Figure 2 has been amended to replace the reference character "260" with the reference character "200" for the GPRS/UMTS network.

Objections To The Claims

Within the Office Action, Claims 11, 18, 25 and 29 have been objected to because of certain informalities. By the above amendments, Claims 25 and 29 have been canceled. Specifically, in Claim 11, line 8, the term “the destination address” has been changed to “a destination address” per the Examiner’s suggestion. Also, in Claim 11, line 17, the term “a hop-by-hop” has been changed to “the hop-by-hop” per the Examiner’s suggestion.

Specifically, in Claim 18, line 9, the term “the destination address” has been changed to “a destination address” per the Examiner’s suggestion. Also, in Claim 18, line 18, the term “a hop-by-hop” has been changed to “the hop-by-hop” per the Examiner’s suggestion.

Rejections under § 112

Within the Office Action, Claims 11-17, 26, 27 and 29 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, regarding Claims 11-17, 26 and 27, it is stated within the Office Action that the claims are indefinite because both an apparatus and the process of using the apparatus is claimed. By the above amendments, the Claims 11-17, 26 and 27 have been amended to remove the term “is operable to.” Accordingly, the Claims 11-17, 26 and 27 are definite and do particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 29, it is stated within the Office Action that it is unclear what constitutes the “information signals” representative of the computer program. By the above amendment, Claim 29 has been canceled.

Rejections under § 101

Within the Office Action, Claims 11-17 and 24-29 have been rejected under 35 U.S.C. §101, because the claimed invention is directed to non-statutory subject matter. Regarding Claims 11-17, 26 and 27, it is stated within the Office Action that Applicant has claimed both an apparatus and the process for using the apparatus. By the above amendment, the Claims 11-17, 26 and 27 have been amended to remove the term “is operable to.”

Regarding Claims 24, 25, 28 and 29, it is stated within the Office Action that Applicant has claimed a system of software per se. By the above amendment, Claims 24 and 28 have been amended to be directed to a computer readable memory device comprising computer executable

instructions forming a computer program to be executed by a data processor within a computer. This is clearly statutory subject matter. Therefore, the rejection should be withdrawn.

By the above amendment, Claims 25 and 29 have been canceled.

Rejections under § 103

Within the Office Action, Claims 11-19 and 24-29 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,915,325 to Lee et al. (Lee) in view of U.S. Patent No. 6,845,100 to Rinne et al. (Rinne). The Applicants respectfully disagree.

Lee teaches a method and program code for communicating with a mobile node through tunnels. Lee teaches that location update message for a mobile node can be made interceptible by routers which form tunnels for communication with the mobile node. [Lee, Abstract] Lee further teaches that to form a tunnel, the correspondent agent binds the mobile node address with the care of address received in the location update message. [Lee, col. 4, lines 11-17, Figure 3] Within the Office Action, this section of Lee is cited as teaching that a correspondent node is attached to the packet radio network. The Applicants respectfully disagree. Lee clearly is referring to a mobile node, not a correspondent node. Lee does not teach that a correspondent node is attached to the packet radio network. In contrast, Lee does not show or describe the correspondent node outside the packet radio network at all.

As set out in claim 11, the gateway support node provides

An interface between an external packet data communications network and a packet radio network;

The packet radio network providing a plurality of packet data bearers for communicating the internet packets with nodes attached to the packet radio network;

Each of the packet data bearers being defined with respect to a source home address of nodes communicating the internet packets.

There is no disclosure in Lee of a packet radio network. Furthermore, there is no disclosure in Lee of the packet radio network providing a plurality of packet data bearers for communicating the internet packets with nodes attached to the packet radio network. This is because Lee merely discloses an IP tunnel that is a single IP packet data bearer. Lee also teaches that the IP packets are tunnelled by the correspondent agent to the mobile node's care of address based on the IP

destination address of the mobile node's home address at the foreign agent 40 or the care of address at the correspondent agent. [Lee, col. 6, line 66 - col. 7, line 16]

Lee further teaches that the correspondent agent is arranged to detect only a binding update when a router alert is included. [Lee, col. 3, line 53 - col. 4, line 23] In contrast, the invention defined in claim 11 specifies that the IP packets have the router alert header option to identify to the router that the extension header is optional to read, the IP packets being communicated to the correspondent nodes from mobile nodes attached to the external network. The hop-by-hop extension header indicates that the extension header is to be read by the gateway support node, whereas for a router it is optional.

Lee also does not teach controlling the egress or ingress of internet packets to the packet radio network in accordance with the information contained in the hop-by-hop extension header field which is inspected by the gateway support node. Simply directing packets to the tunnel based on the destination address does not represent controlling egress or ingress of internet packets in accordance with the information contained in the hop-by-hop extension header field. More particularly, according to claim 11, ingress of internet packets from the external packet data communications network to the packet data bearers of the packet radio network is effected by detecting in the hop-by-hop extension header a source address of the mobile correspondent node. In contrast, Lee teaches communicating packets via the tunnel to the mobile node based on the destination address. Furthermore, there is no further disclosure in Lee of identifying one of the packet data bearers for communicating the internet packets to the correspondent node attached to the packet radio network based on this source address.

Within the Office Action, Rinne has been asserted as providing a router alert option for a GGSN to read the header. Although, Rinne does disclose the GPRS architecture in Figure 3 which includes a GGSN, and discloses in Figure 11 an IPV6 extension header including a hop-by-hop option header, there is no indication in Rinne of one of the fields of the extension header identifying that the hop-by-hop extension header field should be read by a gateway support node.

For at least the above reasons, the independent Claim 11 is allowable over the teachings of Lee, Rinne and their combination. The independent Claims 18, 24 and 28 have similar differentiating limitations and are therefore allowable over the teachings of Lee, Rinne and their combination for the same reasons.

Claims 12-17, 26 and 27 are dependent on the independent Claim 11. Claim 19 is dependent on the independent Claim 18. As described above, the independent Claims 11 and 18 are allowable over the teachings of Lee, Rinne and their combination. Accordingly, Claims 12-17, 19, 26 and 27 are all also allowable as being dependent upon an allowable base claim.

Applicants respectfully submit that the pending claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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